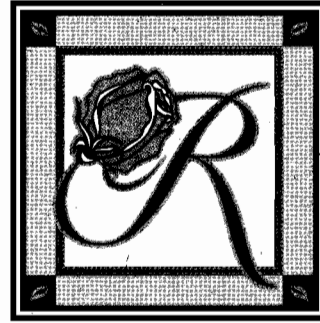


THE ROSE FOUNDATION
For Communities & The Environment



12/12/07

Ms. Andrea Armstrong
US Department of Justice
Environment & Natural Resources Division
Policy, Legislative & Special Litigation Section
Box 4390
Washington, DC 20044-4390

7 DEC 17 AM 1:38

DEPT. OF JUSTICE - ENRD
ENVIRONMENT DIVISION

Re: CSPA v. Aaron Metals

Dear Ms. Armstrong,

This letter is intended to provide assurance that I have received the proposed Settlement Agreement between CSPA and Aaron Metals and that I am authorized by my Board of Directors to make the following binding commitments on behalf of the Rose Foundation.

- 1) I understand that the Rose Foundation should receive funds from Aaron Metals as specified in the Settlement Agreement.
- 2) As specified in the Settlement Agreement, the Rose Foundation shall only disburse the funds from Aaron Metals for environmentally beneficial projects relating to water quality improvements within the San Francisco Bay. None of the Aaron Metals funds shall be used to support political lobbying activity or to fund litigation. Furthermore, the Foundation recognizes that a portion of the funds (\$20,000) is intended to be utilized to enable a grant to Save the Bay upon the Foundation's receipt and approval of a proposal designed to improve San Francisco Bay water quality.
- 3) After the Aaron Metals funds have been disbursed, the Rose Foundation shall send a report to the Justice Department describing the project(s) supported with the Aaron Metals funds.

Rose Foundation for Communities and the Environment

The Rose Foundation is a 501(c)(3) public charity (tax ID#94-3179772). Its mission is to:

- Encourage communication and cooperation between businesses and their communities.
- Combat community deterioration by encouraging individuals to take responsibility for the environmental consequences of their own actions.

6008 College Avenue, Suite 10 • Oakland, California 94618
(510) 658-0702 • fax: (510) 658-0732
email: rose@rosefdn.org • www.rosefdn.org



Corr,

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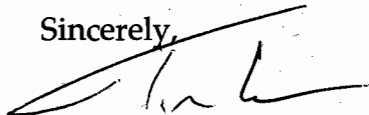
- Help government efforts to control pollution by increasing community involvement.
- Support job creation through the development of environmentally sound businesses.
- Harness economic power to leverage environmental sustainability.

A primary means by which the Rose Foundation accomplishes its mission is to disburse grants to non-profit organizations in furtherance of these charitable purposes. The Foundation does not fund political lobbying activities prohibited by Section 501(c)(3) of the IRS Code.

The Rose Foundation is governed by a Board of Directors. Grant applicants are required to submit written proposals, which must include at a minimum specific information about the goals and activities of the proposed project, background about the charitable applicant, budget information, and a specific funding request. The Foundation may require additional information in order to fully evaluate the application. Applications are first screened by Foundation staff. Staff then makes recommendations to the Foundation Board for action. The Foundation requires all projects to submit written reports within one year of receipt of award describing work conducted under the grant, thereby providing an accountability mechanism over funds awarded. Annual audits by the certified public accounting firm Levy and Powers are posted on the Foundation's website www.rosefdn.org.

I hope this provides you with the information you require. Please do not hesitate to contact me with any questions, or for additional information at (510) 658-0702 or tlittle@rosefdn.org.

Sincerely,



Tim Little
Executive Director